

Order

**Supreme Court
Lansing, Michigan**

September 21, 2005

Clifford W. Taylor,
Chief Justice

128137

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 128137
COA: 237031
Wayne CC: 00-007169-01

MATTHEW SARAMPOTE,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the January 13, 2005 judgment of the Court of Appeals is considered. We DIRECT the Wayne County Prosecuting Attorney to answer the defendant's application for leave to appeal within 28 days after the date of this order. The prosecutor shall pay particular attention to defendant's contention that his trial counsel was ineffective for failing to exercise a peremptory challenge to excuse a specific prospective juror.

The application for leave to appeal remains pending.



s0914

I, CORBIN R. DAVIS, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 21, 2005

Corbin R. Davis

Clerk